



Criminality and the Finnish Famine of 1866–68

Miikka Vuorela

Institute of Criminology and Legal Policy, University of Helsinki

The article examines criminality and the use of the criminal justice system during the Finnish famine of 1866–1868. The main research objective of the study is to provide insight on how and why famine affects crime. To provide background for the examination, a description of the trends in crime and crime control during the years 1842–1890 is presented. The latter half of the century and the nascent urbanisation of Finland brought about a considerable increase in the number of criminal convictions for minor crimes but the convictions for serious crimes were on a downward trend. The crime trend was interrupted by the famine when property crime rates quadrupled. Interestingly, the levels of recorded violence and homicides remained stable or even reduced slightly. In order to provide explanations for the phenomenon, theories of modern criminology are used in conjunction with an analysis of individual, structural and cultural factors affecting hidden crime. The conclusion of the analysis is that the reduction of violence is most likely a statistical illusion caused by a multitude of factors discouraging the exposure of violent crimes. After the famine, the downward trend of serious crimes halted and stabilised to a level slightly higher than before.

Introduction

The historical justice statistics of the Nordic countries are well known for their quality and quantity.¹ The collection of Finnish justice statistics began in 1839 when the Emperor of Russia ordered the Procurator of Finland to observe the administration of justice in the Grand Duchy. The Procurator's office was relieved of this duty in 1891 when the Justice Commission took over the statistical work.² The Procurator's statistics have not been available for research until recently, mainly because they

1 von Hofer, 2011, 33–4.

2 Lappi-Seppälä, 2013, 698.

Andrew G. Newby (ed.)

“The Enormous Failure of Nature”: Famine and Society in the Nineteenth Century

COLLEGIUM

Studies across Disciplines in the Humanities and Social Sciences 22.
Helsinki: Helsinki Collegium for Advanced Studies. 119–150.

were only published as hand-written manuscripts.³ The criminal justice sections of the Procurator’s reports were published in 2014, compiled for the first time into a single dataset. The statistics include time series on criminal convictions, punishments and the prison population during the years 1842–1890.⁴ The data is for the most part unused in previous research, and thus has the potential to yield valuable findings. Comparable justice statistics are available only in Sweden, thanks to the pioneering work of Hanns von Hofer.⁵

Historical criminology opens new perspectives on the development of the current criminal justice system. Observing the past sheds new light on the challenges faced by society and the judiciary in different times. It may also facilitate the critical evaluation of society and the criminal justice system. In the context of the Finnish famine of 1866–1868 (hereinafter referred to as the Finnish famine), the historical analysis of crime and punishment gives an opportunity to learn from the mistakes made during the famine. The investigation should also yield vital information on human behaviour in times of crisis, and on society’s responses to it. Three essential questions come to mind. How did the famine influence criminality? How did the criminal justice system react? What caused the changes in crime and punishment?

The focus in this article is on describing and explaining crime trends attributable to the Finnish famine. Understanding the scope of the changes in criminality requires familiarity with the legal reality of the time. It is therefore relevant to begin the study with a statistical overview of the use of the Finnish criminal justice system during the 19th century, and after that to concentrate on the Finnish famine. The main objective of the study is to apply theories of modern criminology in an attempt to explain crime trends during the famine. The analysis focuses on the effects of poverty, hunger and vagrancy. Research literature concerning *absolute* poverty is scarce, which probably reflects the good economic standing of the Western world.⁶ The article continues with a statistical overview of the administration of justice in Finland in the 19th century (section 2), followed by a short description of societal circumstances before and during the famine (section 3). The selected theories of modern criminology are presented in section 4, and are applied in the analysis of crime trends during the famine. The analysis in the fifth section is extended to individual, structural and cultural factors in an attempt to provide an explanation of how the famine affected criminality in reality. The concluding section summarises the objectives and results of the study.

3 The manuscripts are in old Swedish, with a complex handwriting style that was typical of the time.

4 Vuorela, 2014.

5 von Hofer, 2011.

6 It could be said that absolute poverty is practically non-existent in postmodern Western countries, and that reported poverty is relative to other people. This would explain why there are so few studies concerning the effect of absolute poverty on crime.

Crime in 19th-Century Finland

The Reliability of the Data

Given that the earliest publications in the Procurator's report series are almost two hundred years old, the question of reliability needs to be addressed before the data is used in research. It is viewed both positively⁷ and negatively⁸ in the early studies. Two studies were conducted in 2014, based on different statistical methods of time-series analysis. Von Hofer and Lappi-Seppälä used regressive time-series analysis and concluded that there appeared to be no significant quality errors in the data.⁹ I subsequently supplemented the quality check with a Durbin-Watson test analysis and concluded that there were no *statistical* errors that would prevent the use of the data in research. In addition, I crosschecked the homicide statistics with the homicide data of the National Research Institute of Legal Policy (Finland), which is based on parish cause-of-death statistics.¹⁰ None of these analyses revealed any problems of statistical reliability in the data.

Certain restrictions must nevertheless be taken into account, most notably that the criminal statistics only depict crimes investigated by the courts. Statistics of police-reported crimes have been kept only since 1927. Consequently, the issue of hidden criminality is a major factor in the Procurator's statistics. The court statistics are not a valid source of information on total criminality but they do provide reliable data on the number of criminal convictions in general courts. It is generally assumed that these statistics are increasingly reliable, the more serious the crime, and thus may be helpful in identifying the real trends in more serious (violent) crime.¹¹

The main function of the historical justice statistics is to facilitate observation of how the criminal justice system is used in different eras. Conviction statistics may not accurately measure total criminality, but they do reveal the kind of crimes that ended up in the criminal courts. This information may then be used in drawing conclusions about society's reactions to different types of crime. It can be assumed that the courts were more likely to be involved in serious crimes than in petty crimes. On the other hand, the punishment and prison statistics provide accurate and reliable information on the use of sanctions. These statistics were collected directly from responsible officials and there is no problem of "hidden punishments" in the data. The incarceration statistics are based on the prisons' bookkeeping, and the courts reported the punishment statistics.

7 Baranovski, 1850.

8 Verkko, 1931.

9 von Hofer & Lappi-Seppälä, 2014, 173–4.

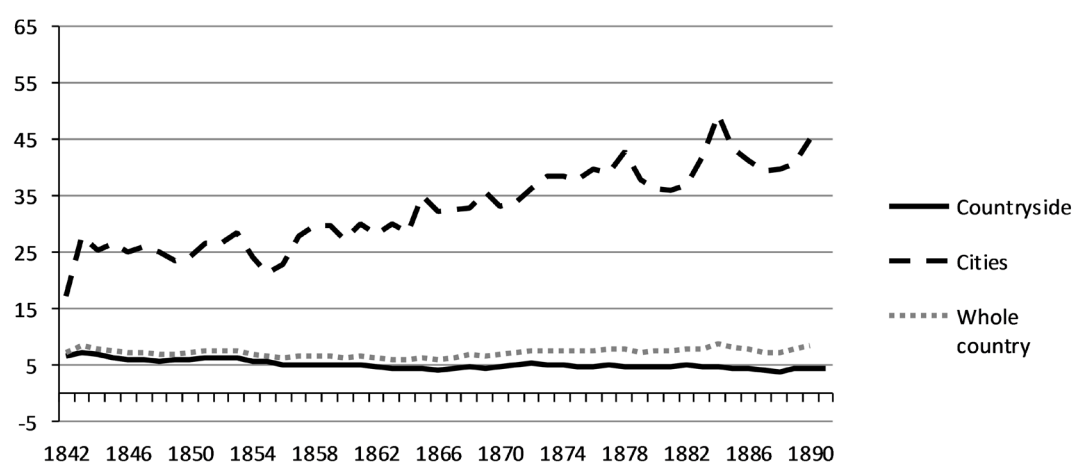
10 Vuorela, 2014, 11–4.

11 The same limitation was noted by Mc Mahon in his analysis of homicide rates during the Irish famine. (Mc Mahon, 2014, 23, endnote 68.)

Crime Trends

The statistics refer to cities and rural communities based on the criminal's place of residence. Urban dwellers appear to have been much more criminally active than people living in rural communities: in 1842–1890 the average number of criminal convictions per 1,000 population was 5.2 in the countryside and 32.6 in the cities (see Figure 1, which shows the trends in urban and rural areas, and the whole country). All of the statistics presented in this article are from the lower courts: military courts and courts of appeal are excluded from the analysis.

Figure 1. Criminal convictions, 1842–1890 (/1,000 population)



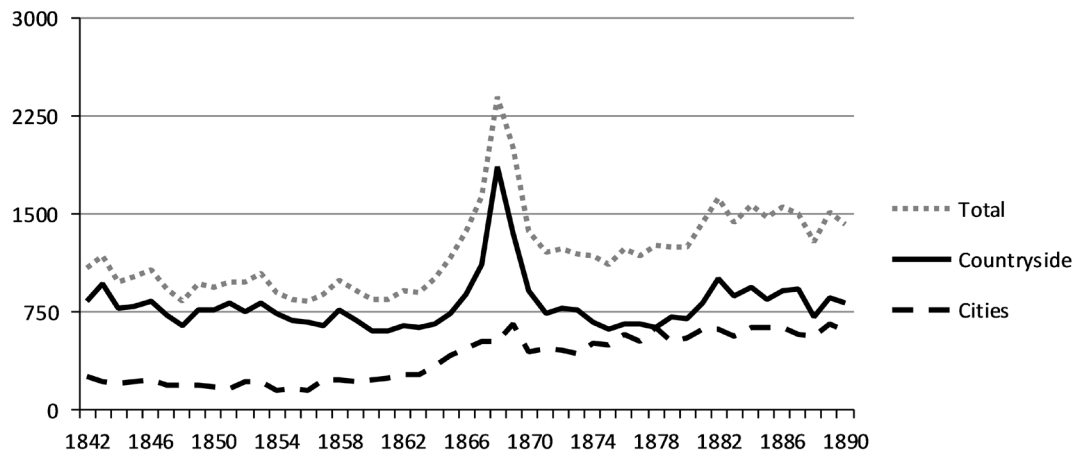
The statistics also classify crimes as serious or petty based on the sanction set in the law. Petty crimes were punishable only by fines and the law did not allow for incarceration or corporal punishment. The levels of convictions for serious crimes remained stable throughout the century. However, the proportion of petty crimes increased notably from the 1860s onwards, especially in the cities: the majority of convictions in urban areas were for petty crimes. By the end of the century, breaches of economic or police regulations were the most common types of offence in the whole country, and most of them were committed in the cities. These breaches constituted over half of the total convictions in urban areas in 1890, compared with less than ten per cent in 1842. Table 1 shows the increased frequency of the said offences in cities compared to total convictions.

Table 1. Breach of economic or police regulations, proportions of all convictions in cities

year	% of all convictions
1842	9.17
1865	25.67
1890	50.31

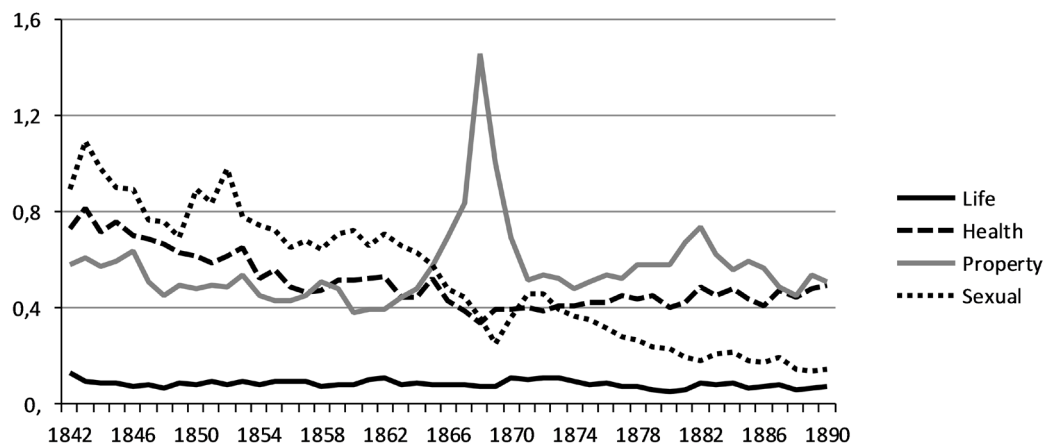
Given the nature and frequency of petty crimes in the total statistics, it is necessary to examine serious crimes separately. Such crimes are at the core of criminal law, and include theft, assault, robbery and homicide. The term “serious” indicates the seriousness of the type of offence compared to other offences. Hence assault, which is categorised as a serious crime, included both normal and aggravated forms of assault. Figure 2 depicts the absolute number of convictions for serious crimes in urban and rural areas, and in the whole country.

Figure 2. The total number of criminal convictions for serious crimes, 1842–1890



The number of convictions for serious crimes is marked by a slight increase during the period attributable to the increase in the urban population (and crime). The Finnish famine caused the drastic increase in serious crime during the 1860s. The change was not permanent, and conviction numbers returned to their original level (compared to the population). The statistics also point to a significant crime trend: the number of convictions for serious crimes decreased until the famine. Figure 3 depicts the decreasing numbers of convictions for certain types of serious crime per 1,000 population.

Figure 3. Convictions for serious crimes targeting life, health and property, and all sexual crimes, 1842–1890 (/1,000 population)



The number of convictions for sexual crimes decreased during the century, and the famine did not disturb this trend. Convictions for both violent and property-related crimes decreased up until the famine, after which the levels stabilised. The decrease in the number of sexual crimes was attributable to cultural changes in sexual morals. A large majority of the convictions for sexual crimes related to intercourse outside marriage (fornication), and the numbers decreased by the year 1890 to less than 20 per cent of the 1840s level. Homicide levels, on the other hand, remained high¹² during the whole century.

The crime trends at the end of the century are linked to the changes in societal control and public morality. The nascent urbanisation provided an opportunity for the effective surveillance of citizens, which increased the risk of arrest. The new surveillance did not reach sparsely populated rural areas, where the total number of criminal convictions remained stable during the whole period. Changes in public morality, on the other hand, are reflected in crimes against morality, which fall outside the scope of the criminal law: swearing and breaches of the Sabbath, for example, were among the most common crimes up until 1883, when they were removed from the statistics.¹³ It is unknown whether the courts ceased to convict people for these crimes or whether they were merely transferred to a category such as other breaches of general law. The aforementioned example of fornication also hints at the withdrawal of moralistic criminal law. The decline in such convictions gave way to sentencing for offences involving alcohol or the disturbance of public order.¹⁴

The Finnish Famine of 1866–1868

Social Policy

The purpose of social policy is to improve the quality of life of members of the society, especially the underprivileged. From a criminological perspective, social exclusion and economic hardship increase the risk of criminality.¹⁵ Therefore, improving the social status of the low-income population is considered an effective method of crime prevention: in the words of Franz von Liszt, “a good social policy is the best criminal policy”. Given the close connection between social policy and criminality, it is natural to begin this analysis of crime trends during the Finnish famine with an overview of the social-welfare system.

When Finland became an autonomous state in 1809 it was an underdeveloped agrarian society, and the only expanding population group was the poor farmer

¹² Verkko, 1931.

¹³ Vuorela, 2014, 70.

¹⁴ For a more detailed account of the changes, see Vuorela, 2014.

¹⁵ Lehti, Sirén, Aaltonen, Danielsson & Kivivuori, 2012, 80–81.

class. The accelerating growth caused an excess-population problem because fewer new farms were being established. The landless also faced difficulties in earning a living as the oversupply of labour caused a decline in wages. The population overspill combined with consecutive years of poor harvests resulted in several periods of famine during the first half of the century.¹⁶ At the same time, mass unemployment forced many families onto the streets.¹⁷ The government enacted new legislation in an attempt to relieve the situation. However, neither the begging act of 1817 (*kerjuujulistus* in Finnish) nor the social-welfare reform of 1852 (including the alms statute [*vaivaishoitoasetus*] and the statute on legal protection [*asetus laillisesta suojelusta*]) succeeded in reducing poverty.¹⁸ Society's responsibility for its citizens' livelihood was still a new phenomenon in nineteenth-century Finland.

The social-welfare statute of 1852 has been described as Finland's first attempt to create a general welfare system for all its citizens, turning the alms system into a juridical institution with a built-in appeal process. Public welfare was further strengthened in 1865 when responsibility for the system was transferred from the parishes to the newly established municipalities.¹⁹ The system of legal protection was also largely dismantled in the same year with the enacting of new labour and vagrancy laws.²⁰ As of 1852, all rural residents were required to own or rent land ("legal protection"), or to work as hired hands. The new statutes of 1865 permitted the landless rural population to move to urban areas to work in factories and for retailers. The cities did not have the same kind of social-welfare system as the rural communities, and the reform increased the individual's responsibility for his/her livelihood.²¹ The statute of occupations (*elinkeinoasetus*) that expanded occupational freedom further emphasised the right to provide for oneself and the responsibility to look after oneself.²²

The year 1865 also brought changes in the national alcohol policy as the new spirits statute prohibited home distillation and granted exclusive distillation rights to factory producers. These restrictions were rooted in the reformatory ideas of public education promoted in the elementary schools, advocating an alcohol-free lifestyle. Several political and ideological movements intent on ridding society of the vices associated with alcohol strongly supported the prohibition of distillation on moral grounds. The Temperance Society and the Laestadian revival movement were among those campaigning against the distillation and consumption of spirits.

16 van Aerschot, 1996, 48–9.

17 Toikko, 2005, 41–2.

18 van Aerschot, 1996, 51–53, 130.

19 van Aerschot, 1996, 74–80.

20 In the statute of 1865, the system of legal protection only applied to landless people who lived an ill-mannered life. (van Aerschot 1996, 60.)

21 Toikko, 2005, 43–46.

22 Kekkonen, 1987, 198–201.

The spirits statute of 1865 did not have the desired effect, and it was reformed many times in the following two decades. It was only after the statute of 1885 that the consumption of strong spirits began to decrease.²³

The Great Hunger Years

The multiple years of poor harvests in the early 1860s culminated in serious crop failures in 1862 and 1865. Famine-relief attempts and the distribution to farmers of sown crops stored for use in emergency situations had left communal granaries empty, and no replenishment was forthcoming as the bad weather in continental Europe caused a fall-off in grain imports. Consequently, the crop failure of 1867 quickly turned a difficult situation into a complete catastrophe. Crop reserves ran out early in 1868 in large parts of the country. Hunger afflicted the poor, whereas members of the small upper class were initially spared the discomfort: While tens of thousands of people starved to death, sales of luxury products increased.²⁴ Typhoid fever followed in the wake of the famine: it is estimated that 500,000 people were afflicted in 1868 when, according to parish registers, the deaths of over 57,000 people were related to the disease. However, it is currently assumed that most of these deaths were attributable to starvation.²⁵

The municipal social-welfare systems could not care for the poor, and thousands of families had to leave their homes to live as beggars on the streets.²⁶ The normal annual mortality rate in the mid-19th century was approximately 50,000 people, but almost 150,000 people died in 1868 – a tenth of the population. Mortality rates were as high as 40 per cent in the worst affected areas of the country. Contemporary descriptions refer to dullness and indifference caused by the constant presence of death and hunger.²⁷ According to Väinö Laajala from Perho for example, the death of oneself or one’s family was not feared for death was considered a relief from the suffering.²⁸ Senator V. A. Normén noted in his report that need and poverty had made people’s attitudes “more than harsh to the sick and more than cold to their neighbours”.²⁹ Meurman reported in his study that the urban population mocked the distress of the countryside, and that the provincial mind was “colder than an autumn night”.³⁰

The areas spared from the crop failure of 1862 and 1865 were in a better position than so-called starvation-ridden Finland, which suffered from mass unemployment

23 Tuominen, 1979, 113–121.

24 Ikonen, 1991, 84–9.

25 Turpeinen, 1986, 137–142.

26 Pitkänen, 1991a, 38.

27 Pitkänen, 1991b, 207–10.

28 Pitkänen, 1991b, 209.

29 Häkkinen, Ikonen, Pitkänen & Soikkanen, 1989, 52. Author’s own translation.

30 Meurman, 1892, 58.

among the landless population in addition to the famine. Official efforts at crisis control were initially confined to the prevention of begging. Handouts were prohibited and people in need were ordered to report to workrooms or private farms - for work that did not exist. The local governments in the areas that did not suffer the worst began spreading the rumour that they had, in fact, had an even worse crop failure than other parts of the country, the motive being to prevent the poor from migrating to better-off areas.³¹ The social inequality culminated during the famine and it was manifested as a reluctance or inability to help the poor. As the crisis persisted the indifferent attitude towards the starving turned to one of control and blame when the fever epidemic began to affect the rich.³² The poor people, in turn, started to mistrust their masters and the officials.³³ The population was split in two, the rich loathing the poor and the poor suffering their fate in silence.³⁴

Contemporary descriptions portray death as becoming a natural part of everyday life to the extent that it started to have serious negative effects on mental health. "Softer feelings" were said to have passed only to leave a feeling of eternal suffering and dullness. Religious rituals associated with death such as the blessing and burial of the deceased were often passed over due to a lack of interest or strength. According to some of the narratives, many families starved to death because their neighbours did not believe they had run out of food.³⁵ As Meurman notes, people had to disregard the suffering of others to protect their own sanity and to "close doors and gates before the hungry hordes".³⁶

The famine led to the exploitation of the poor and of debtors. The forced sale of small estates offered easy pickings for the rich, but also attracted the condemnation of farmers. The only people more despised than those prospering from the compulsory auctions were the traders exploiting the high prices of grain crops. Abusing the plight of others quickly became a taboo that subdued such business practices slightly.³⁷ It was thought that those engaging in the malpractices would face the terrible revenge of fate, and contemporary descriptions even imply that the revenge often materialised.³⁸ Mistrust of the exploiters could be seen as an expression of solidarity, a force for opposing the above-mentioned indifference. Solidarity was also evident in feelings of compassion towards the poor folk of one's own community, whereas non-resident beggars were shunned.³⁹

31 Pitkänen 1991a, 69–72.

32 Häkkinen, Ikonen, Pitkänen & Soikkanen, 1989, 31–2.

33 Häkkinen, 1991a, 203; Häkkinen, Ikonen, Pitkänen & Soikkanen, 1989, 49.

34 Meurman, 1892, 58–63.

35 Pitkänen, 1991b, 209–213.

36 Meurman, 1892, 58.

37 Häkkinen, 1991b, 242–4.

38 Häkkinen 1991b, 202–3; Häkkinen, Ikonen, Pitkänen & Soikkanen, 1989, 49–50.

39 Häkkinen, Ikonen, Pitkänen & Soikkanen, 1989, 49.

The market economy and the outsiders (of the community) have faced similar attitudes during other famines of the world as well. Social and political crises have been caused by the export of food from famine-afflicted areas at least in Bangladesh (1974), Ethiopia (1973), China (1906) and Ireland (1840s). According to Sen, the export of food during a famine may be a natural characteristic of the market, despite the public viewing the practice as unethical.⁴⁰ Sen has also reported the famines in Bengal (1943), Ethiopia, Sahel (1960s) and Bangladesh mostly affected certain minorities rather than the population in its entirety. The Ethiopian famine, for example, placed the hardest strain on the pastoral and nomadic communities of the country. These people had previously been able to secure their livelihood by trading animals for grain with the farmers but the rising market price of grain during the famine subdued the practice.⁴¹ Likewise, the Finnish famine mainly affected the inhabitants of the famine-stricken parts of the country and the landless population in general.

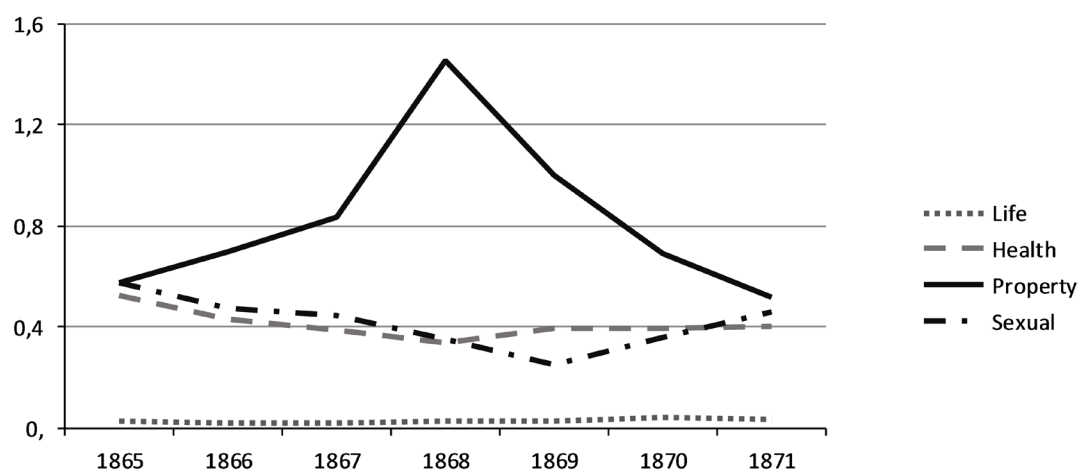
Trends in Crime and Punishment

Crime

The Procurator's statistics reveal the crime trends during the famine. Figure 4 shows the changes in criminality in four of the most serious types of offence.⁴²

The most substantial change was in convictions for property crimes, which quadrupled in four years: there were as many convictions for theft in 1868 as in the previous two years combined. A similar trend is also evident in occupational crimes and fraud, but there was no increase in convictions for other crimes. In fact, the number of convictions for violent crimes (including homicide, assault and

Figure 4. Criminal convictions for homicide, assault, and sexual and property crimes, 1865–1871 (/1,000 population)



⁴⁰ Sen, 1982, 160–2.

⁴¹ Sen, 1982, 52–153.

⁴² For more detailed information on the crime classification, see Vuorela, 2014.

infanticide) were at their lowest ever level in 1868: there were 100 fewer convictions for assault than in the previous year, and 250 fewer than in the previous 13 years on average. A similar decrease is evident in infanticide and, to some extent, homicide. Interestingly, each year of crop failure (1862, 1865 and 1867) was followed by a year of very low homicide rates. For the sake of comparison, McMahon has noted the rate of reported homicide incidents doubled during the Irish famine.⁴³ The difference could perhaps be partly explained by data validity as the Irish data includes *reported* homicides while the Finnish statistics consist of court convictions. However, the reasons behind the disparity in crime trends need to be explained in further comparative research.

The numbers of convictions for sexual crimes and fornication also decreased, in the latter case to half of the 1867 level. All in all, there was a statistical decrease in criminality in the following major types of crime: homicide, infanticide, assault, fornication, breaches of the peace (e.g. trespassing), defamation, intoxication, and crimes against justice and public officials. Around half of the convictions in 1868 were for crimes that were on the decrease, and the only increases in convictions were for property and occupational crimes and fraud. The famine had no effect on the numbers of convictions for the least serious crimes. Excluding the general groups “other breaches of general law” and “breaches of economic or police regulations” the decrease involved two thirds of all crimes. When the decrease in population attributable to the famine is taken into account, there were on average 3.06 crimes (that were on the decrease) per 1,000 population during the preceding ten years, compared with 2.28 in 1868. The ten-year average for property crimes was 0.5 per 1,000 population, compared with 1.43 in 1868. Both the increase in property crimes and the decrease in other crimes were thus real and significant changes in statistical criminality, not illusions attributable to the rapid decrease in the population.

Punishment

The Finnish famine halted the development of the criminal justice system. A partial reform in 1866 outlawed corporal punishment, significantly restricted the use of the death penalty⁴⁴ and introduced a progressive penal scale. The reformation that came into effect in 1870 was humane and represented an ideology of leniency in criminal policy, which was further developed in the criminal code of 1889.⁴⁵ The objective of the project was to abolish the death penalty and to remove the humiliation associated with the punishments, and to strive for repentance and atonement.⁴⁶ The reformation reflected the fall of the class society that enabled the

43 Mc Mahon, 2014, ch. 2

44 The reform reduced the use of the death penalty by more than half. See Vuorela, 2014, 36–7.

45 Kekkonen, 1992, 265–6.

46 Lappi-Seppälä, 1982, 126–30.

sharing of legislative and judicial power among the middle and lower classes.⁴⁷ The reformatory committee had started its task as early as 1814 but repeatedly faced stern ideological opposition.⁴⁸ After the political climate began to recover from the Russian oppression in the 1860s, the reformatory work was continued with renewed vigour.⁴⁹ The public discussion on penal policy choices was heated and the advocates of a conservative penal system dominated the public opinions until the early 1860s after which the political attitudes changed quickly. The legislation was eventually drafted in 1865 according to the reformist views. Due to disagreements on the enactment of the statutes they only came into force on January 1st 1870.⁵⁰ Therefore the reforms were not yet operative during the famine, but one might assume they had some effect during the transitional period. It would seem from the statistics that the reforms were not taken into consideration, however. Figure 5 depicts the most frequently used types of punishment, excluding fines. (Note that plain incarceration became common only after 1870.)

Figure 5. The most common types of punishment, excluding fines, 1865–1871



A total of 1,314 people were sentenced to corporal punishment in 1868, compared with an average of 350 in the preceding 25 years. This phenomenon was attributable to the increase in property crimes. According to the law, a thief was sentenced to a fine, corporal punishment or death depending on the particulars of the offence. A fine could also be converted to corporal punishment, one lashing with a whip settling three thalers of the fine.⁵¹ The amount of the fine was calculated by multiplying the value of the stolen property: a theft of ten thalers, for example, would warrant a fine of thirty thalers.⁵²

⁴⁷ Kekkonen & Ylikangas, 1982, 62.

⁴⁸ Blomstedt, 1964, 425–30.

⁴⁹ The highest legislative authority in Finland, the riksdag of the estates, was prohibited from operating during 1809–1863, preventing all political reforms.

⁵⁰ Blomstedt, 1964, 437–93. See also Lappi-Seppälä, 1982, 122–30.

⁵¹ Rangaistus caari V:1–2. Note that the laws in the 1734 codification were named “caari”, literally translated as an arch. Rangaistus caari would translate into “penalty arch”.

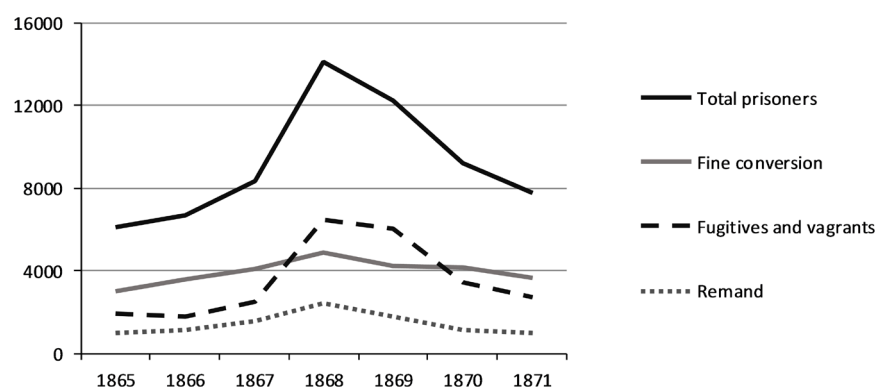
⁵² Pahategoin caari (“crime arch”) XL:1.

Fine conversions explain the sharp increase in the use of corporal punishment. Many people could not pay their fines due to their poverty so the fines were converted to corporal punishment. It was possible to convert the fine to a prison sentence but that would probably have been too costly for the state to make it a viable option. It was cheaper and more effective to sentence the thief to a few lashes of the whip than to offer a bed and a free meal at the county prison. Nevertheless, it seems that sentencing practices during the famine did not conform to the spirit of the reformation statute or the new ideologies of the criminal justice system, the scarcity of resources forcing the courts to administer justice with a stern hand. Interestingly, this development demonstrates how the legal system reacts in a time of crisis and how its ideals can quickly change.

Incarceration

The famine had a strong influence on the use of incarceration. However, the available information on the prison population is very limited and does not allow a thorough analysis.⁵³ This sub-section only covers the county prisons because the famine had no effect on the prison population in correctional facilities and penitentiaries. The county prisons were not intended to enforce prison sentences and only a small percentage of the inmates had, in fact, been sentenced to prison.⁵⁴ Figure 6 indicates the total numbers of prisoners in county prisons during the years 1865–1871. The increase was mainly among fugitives and vagrants. Vagrants were persons who did not fulfil their duty of service, in other words who did not have a job or a permanent residence, and were sent to prisons for general labour without a criminal sentence.⁵⁵ Given the increased numbers of beggars and drifters, it is hardly surprising that more vagrants ended up in prison.

Figure 6. Annual population in county prisons, 1865–1871



⁵³ For more detailed information on the prison system, see Vuorela, 2014. See also Lappi-Seppälä, 1982, 106–12.

⁵⁴ Vuorela 2014, 48–9.

⁵⁵ Ståhlberg, 1893, 1–3, 190. There is slight terminological inconsistency as there was also a type of punishment called general labour.

Explaining Crime Trends

Prelude

The following analysis of crime trends is restricted to the increasing trend in property crime and the decreasing trend in violent crime, a limitation that largely relates to data reliability. The risk of exposure to serious violent crime was relatively high and the perpetrators were most likely to be prosecuted and sentenced.⁵⁶ Consequently, recorded violent crime is a comparatively reliable measure of total violent crime in normal conditions. A further reason for the restriction is that violent crime is among the most thoroughly researched areas of criminology, and there is an abundance of comparative research material on the chosen crime types.

Before turning to modern criminology I will make a few general observations about historical criminology. First, times of crisis comparable to the Finnish famine have been studied in the Soviet Union, specifically covering war, famine and the economic oppression of Lenin (New Economic Policy). According to these early studies, war caused an increase in violence and property crimes whereas both famine and the New Economic Policy brought an increase in property crimes but not in violence.⁵⁷ In the case of Finland, Paasikivi and Tulenheimo compared the price of rye with the occurrence of theft. Both of them concluded that people stole simply because they were hungry during the hard times, explaining to some extent the increasing trend in property crime during the famine.⁵⁸

Second, the Finnish famine was a time of national crisis and its effects were generally comparable to those of war. Both phenomena are disastrous to society and lead to a shortage of supplies. The following presentation of crime trends during the famine starts with an account of theories explaining wartime trends. The analytical focus then turns to traditional explanations of crime in the context of Finnish historical criminology, and theories of modern criminology (anomie theory and the theory of social control). Given the nature of the phenomenon it is not necessary to examine individual theories of crime: it is not plausible, for example, to assume that the three-year period of high property crime was attributable to genetic factors.

War

The effect of war on crime has been studied comprehensively and two very different theories have emerged. It is argued on the one hand that war *corrupts* public

⁵⁶ Specifically concerning the validity of violent crime in the Procurator's statistics, see Verkko, 1931, 55.

⁵⁷ Shelley, 1979, 391–6.

⁵⁸ Jaakkola, 1978, 99–103.

morality, and on the other that it *strengthens* it.⁵⁹ It is concluded in a Nordic study focusing on the effects of the Second World War that the strengthening influence seems to be a myth that is used in war propaganda. Property and occupational crimes in particular increased during the War. The high amount of theft and black marketing imply a decline in respect for justice rather than improved common morality. It is notable that the increasing crime trend was common to all the Nordic countries despite the fact that no hostile force occupied Finland or Sweden.⁶⁰

The 1930s was a period of peace and prosperity in Finland. The crime level had stabilised by the end of the decade and the numbers of both violent and property crimes were decreasing.⁶¹ Then the War changed everything. The levels of violent crime reduced sharply, in fact, but increased quickly after the end of the Continuation War. It is probable that the police did not register violence among 18–29-year-old men while they were stationed at the front. The trend in property crimes was the reverse: the levels were high during the War, but quickly returned to normal when it ended. Jaakkola concludes that the War led to an increase in all crime in Finland, regardless of the type.⁶² The trend was similar in all the Nordic countries.⁶³

The Second World War also brought an increase in female criminality. The majority of women's crimes were against martial law and rationing regulations. However, even ordinary criminality increased and the longer the War went on, the more assaults, adultery and theft the women committed. By 1943, female assaults had quadrupled from the levels in 1938. Adultery, which in particular could be viewed as a moral crime, increased six-and-a-half-fold during the War.⁶⁴ This development of female criminality contradicts traditional explanations that fluctuations in violent crime are attributable to changes in male violence.⁶⁵

As Archer and Gartner note, the Second World War led to increased violence in countries that were not directly involved. The increasing trend was not dependent on the outcome of the War or the economic hardship it caused, but according to Archer and Gartner the most influential factor was the change in public morality it brought about. War concretised and justified the use of violence as a means of conflict resolution, and attitudes became more lenient and favourable.⁶⁶ Landau and Pfeffermann support this finding, noting that the number of homicides in Israel was

⁵⁹ Takala, 1987, 7.

⁶⁰ Tham, 1987a, 306–7.

⁶¹ Jaakkola, 1987, 41.

⁶² Jaakkola, 1987, 52–4.

⁶³ See the following chapters in Takala & Tham, 1987: Madsen, 1987, 116; Christiansen, 1987, 37; Tham, 1987b, 214; Wijk, 1987, 265.

⁶⁴ Roos & Takala, 1987, 83–6.

⁶⁵ Ylikangas, 1988, 137.

⁶⁶ Archer & Gartner, 1984, 74–5; Archer & Gartner, 1976.

directly proportional to the number of deaths in military conflicts in the country.⁶⁷ Lehti applies Archer and Gartner’s hypothesis to the Finnish Civil War and the Estonian Independence War, and concludes that civil wars influence homicides *indirectly*. Most post-war perpetrators of violence were young men who were not involved in the battles, but adopted an attitude idealising violence from their older companions.⁶⁸ Moreover, according to Hannula, the recession after the Finnish Civil War caused a significant increase in property crime.⁶⁹ In sum, armed conflict is likely to lead to an overall increase in criminality.

Poverty

Perhaps the most traditional criminological theory is that relative poverty (income inequality) leads to an increase in violent crime. Poverty relative to the surrounding community is a sign of social failure in the individual that easily leads to asocial behaviour. According to the theory, the absolute degree of poverty is not important in that poverty should be understood as a cultural phenomenon linked to a certain time and place.⁷⁰ The anomie theory explains the influence of relative poverty in positing that the social pressure it causes leads to crime. The behaviour of individuals in a society is driven by the pursuit of so-called normal ideals of, happiness and the accumulation of wealth, for example. However, given that society has limited resources, it is not possible for everyone to achieve these ideals.⁷¹ Humans have evolved an ability to sense their position in a social group that has fostered more effective co-operation. However, relatively poor individuals may feel they have failed to “keep up with the Joneses”, which causes frustration and may even lead to criminal activity.⁷²

In the context of Finnish historical crime trends, Ylikangas claims that the oversupply of available labour and the consequent decline in real wages largely explained the violent outbursts of the *puukkojunkkaris* (“knife-fighters”) of Southern Ostrobothnia. Another factor was the downward mobility in which people who became poorer descended to a lower social class. Together these two phenomena indicated an increase in income inequality, and caused a sharp increase in violent crime.⁷³ It should be noted that both of them intensified during the famine.

However, a large majority of the population belonged to the poor farmer class at the time of the Finnish famine and the effects of the crisis targeted them in a similar manner. Clearly, changes in income inequality do not explain the problem and it is

67 Landau & Pfeffermann, 1988, 500. See also Lappi-Seppälä & Lehti, 2014, 187.

68 Lehti, 2000, 234–40, 319.

69 Hannula, 2004, 299, 468–9.

70 Taft, 1966, 19.

71 Merton, 1938. See also Kivivuori, 2013, 147–50.

72 Kivivuori 2013, 175.

73 Ylikangas, 1976, 255–84.

therefore necessary to discuss absolute poverty. The criminological research on absolute poverty thus far is insufficient, and there is no prevailing consensus on its effects on crime. It is concluded in some studies that poverty does influence criminality, but there is major disagreement on the direction of the effect. Some authors argue that absolute poverty increases violence⁷⁴ whereas others claim it actually reduces the incidence⁷⁵.

Pridemore claims that the wrong indicators of poverty have been used in earlier studies, the results of which thus cannot be considered valid. He developed a new measure of poverty he thought was more reliable, and used it to explain the interactions among poverty, income inequality and violence. He concludes that poverty increases homicides whereas income inequality does not affect the levels of violent crime.⁷⁶ According to Pridemore's hypothesis, the increased poverty during the famine should also have led to an increase in violence.⁷⁷ Traditional anomie theory also implies that the culmination of income inequality (demonstrated by the high sales of luxury products and a starving population) would increase violent crime. Although much of the poverty during the famine was absolute, the influence of income inequality should not be ruled out. It may be that had the internal income inequality of the farmer class evened out, the level of violence may have decreased as a consequence.

Social Control

According to the theory of social control, the criminal tendencies of an individual are connected to his/her social relationships: existing social relationships create social bonds and social control that suppress criminal activity, whereas their absence predicts a higher risk of committing a crime. Unofficial social control is exerted in the family, at work and at home. It is known, for instance, that criminal activity is more rare among individuals the longer they have lived in their hometown.⁷⁸ According to Ylikangas, the period of high levels of violent crime in Finland ended with the decline in status of the violent lower classes, when the unofficial social control of the other classes began to take effect.⁷⁹ The theory of social control is useful in explaining crime trends during the famine. The shortage of supplies forced tens of thousands of refugees to turn to vagrancy, and the recession caused mass unemployment. Additionally, the high mortality rates reduced the number of social relationships and destabilised social bonds.

74 Bailey, 1984; Patterson, 1991; Hsieh & Pugh 1993; Pridemore, 2011.

75 Messner, 1982; Krahn, Hartnagel & Gartnell, 1986.

76 Pridemore 2011, 754–61.

77 See also Hsieh and Pugh 1993, 198.

78 Kivivuori 2013, 186–7, 197–200.

79 Ylikangas 1976, 293–4.

Crutchfield, Geerken and Gove examined the effects of migration on urban criminality. They found that individual mobility explained many different types of offence, and was the most effective factor in explaining property crimes. Anomie (frustration), in turn, was a major cause of violent crime, but only explained a small proportion of property crimes.⁸⁰ The theory of social control thus seems to be effective in explaining property crimes and anomie theory in explaining violent crime. This conclusion is disputed in the field of criminology, and Hartnagel, for example, claims that migration has a significant effect on violent crime.⁸¹

Alcohol

Alcohol consumption has traditionally been an explanatory factor in violent crime, especially in early Finnish criminology. Modern statistics reveal that, on average, 60 per cent of assaults in Finland are committed under the influence of alcohol, and even this is considered an underestimation.⁸² Likewise, over 80 per cent of homicides are committed by intoxicated individuals.⁸³ The correlation between alcohol consumption and violence appears to be clear, and it could help to explain crime trends during the Finnish famine. According to the Procurator's statistics, in 1868 convictions for intoxication dropped by 50 per cent in rural areas. Home distillation was also prohibited in 1865, not that the food shortage would have even allowed it. Alcohol consumption also decreased in the whole country during the famine.⁸⁴

Is there a causal relationship between alcohol consumption and violence? If there is, the arrival of strong spirits in Finland in the 17th and 18th centuries should have caused a tide of violence. However, as Ylikangas notes, that there appear to have been no significant changes in the levels of violent crime that would support causality between alcohol and violence.⁸⁵ He concluded that alcohol did not *cause* violence but only acted as a catalyst, and that both high alcohol consumption and violence originated from the source he refers to as “Finnish forest lunacy” (*metsähöperyys*).⁸⁶

The catalyst effect implies that alcohol does not cause violence or even influence the long-term trends. However, changes in alcohol consumption may cause shifts in violence in the short term. The theory is based on the hypothesis that some catalyst will eventually appear and trigger the violent action, of which alcohol is only one, albeit effective. The theory is closely connected to the theory of social control.

80 Crutchfield, Geerken, & Gove, 1982.

81 Hartnagel, 1997, 393–6.

82 Lehti, Sirén, Aaltonen, Danielsson & Kivivuori, 2013, 83–4, 87. Verkko gives a similar number concerning violent crime in the 1920s. See Verkko, 1949.

83 Lehti & Kivivuori, 2012, 35.

84 von Hofer & Lappi-Seppälä, 2014, 180.

85 Ylikangas, 1988, 156. On the other hand, see Lehti, 2000, 228–31.

86 Ylikangas, 1988, 174–5.

Alcohol consumption complicates the forming of meaningful relationships, thereby weakening social control, and loosening social bonds could expose individuals to problem drinking. Both violence and alcohol consumption could also be attributable to individual factors, especially low self-control⁸⁷. However, alcohol is not a cause of crime, it merely eases the decision to commit a crime (acts as a catalyst).⁸⁸ Given the short-term effect of alcohol on violence and the low alcohol consumption during the famine, the amount of violent crime should have decreased.

Crime Trends – Concluding Remarks

Four criminological theories of the causes of crime have been examined. The next step is to establish what theories of national crisis, poverty, social control and alcohol consumption would predict with regard to crime trends during the famine. To begin with crisis theory, it seems that war generally has an accelerating effect on criminality. War and famine have similar effects on society as a whole: fear, uncertainty, shortage and misery follow in the wake of both war and famine. The majority of war studies described above would predict an increase in all kinds of crime during a famine. However, war does have the distinctive effect of making the use of violence an acceptable means of conflict resolution. It is not likely that the famine would have had a similar effect. This observation reduces the comparability of crime during war and famine.

The Finnish famine resulted in a period of absolute deprivation that income inequality in itself does not adequately explain. It is likely that the prevalence of absolute poverty during the famine would have caused high rates of homicide and violent crime, but no such trend is visible in the statistics. The effect of absolute poverty on property crime is uncertain. According to one previous study, there is only a weak correlation between poverty and numbers of robberies.⁸⁹ Nevertheless, it is obvious that most people would be prepared to steal when facing starvation and potential death.⁹⁰ Furthermore, such thefts are commonly perceived as justified.⁹¹ It stands to reason that absolute poverty during the famine would lead to an increase in the amount of property crime provided that other people had anything worth stealing.

The number of vagrants, beggars and unemployed people multiplied during the famine, which meant an increase in the mobility of individuals. The landless population drifted from town to town in search of food and employment. Social relationships also became fragile due to the high mortality rates. Given these two phenomena, the theory of social control would predict an increase in criminality

⁸⁷ Kivivuori, 2013, 105.

⁸⁸ Kivivuori, 2013, 211–3.

⁸⁹ Hsieh & Pugh, 1993.

⁹⁰ Jaakkola, 1978.

⁹¹ Taft 1966, 19.

during the famine: low social control effectively explains property crimes, and such control was exceptionally weak at the time.

Alcohol consumption is commonly linked with violent crime even though there is no causal relationship between the two. Nevertheless, alcohol consumption has an obvious short-term effect on violence. The normal yearly alcohol consumption was approximately five litres per person during the 1860s–70s, as opposed to under a litre in 1868.⁹² Sentences related to intoxication also decreased from 0.667 per 1,000 population in 1865 to 0.471 in 1868 (approximately 30 per cent). The reason is obvious: the available crops were used for food and could not be distilled into alcohol. The decreased consumption should predict a decrease in the amount of homicide and violent crime.

In sum, according to predictions based on modern criminological theories, the Finnish famine should have caused a major increase in criminality, especially in property crime. The statistical data concerning the multiplied rates of property crime are thus in line with the explanations. The reason for the fewer sentences for homicide and violent crime is nevertheless unclear. The only factor hinting at a real decrease in violence is the low alcohol consumption, whereas the other theories point in the other direction. The problem can only be solved if account is taken of the restrictions of the data. Court sentencing statistics do not give reliable information on real crime levels, and may not even reflect the trends in exposed criminality. It is therefore necessary to expose the hidden criminality through broader analyses of the effects of famine.

Explaining Hidden Criminality

Phrasing the Question

Even if the court-sentence statistics do not portray the real crime rates, they do demonstrate the reactions of society to crime. Hence, the changes in the statistics reflect the changes in the composition of crime investigated by the courts rather than criminality in itself. An analysis of hidden criminality is thus required before conclusions on crime trends can be drawn. Criminologists nowadays tend to investigate hidden criminality using empirical methods such as victim surveys. Such methods are not suited to historical research, and there is a lack of available empirical data from the 19th century. However, it would be possible to use the court statistics as a basis on which to build possible scenarios of crime in reality.

Any explanation of hidden criminality requires a wide-ranging analysis of the factors that affect criminality in general. The rest of this section charts the developments in societal behaviour on three major levels. The aim on the individual level is to reveal the changes in the actions and motivations of members of the

92 von Hofer & Lappi-Seppälä, 2014, 180.

population. Structural explanations, on the other hand, focus on the functional component of society, whereas cultural explanations relate to how people and society thought on a more general level. The main objective of the following interpretations is to identify factors that could shed light on the actual crime trends during the Finnish famine. These interpretations could then be generalised in terms of describing and explaining crime trends during other times of national crisis.

Sentiment

Assuming that the decrease in convictions for violent crime reflects actual crime levels, it is a surprising finding. In the search for individual explanations of crime, educational and evolutionary theories should be dismissed given the limitations discussed above. However, it is worth noting that an individual's readiness to commit or tolerate crimes fluctuate suddenly. Taft, for example, describes "morally upright people" who, despite their sublimity, are willing to steal to fend off starvation⁹³. As noted above, people began to feel indifferent towards death during times of famine: respect for human life turns to numbness, which is apt to increase the propensity for violence. As Pitkänen observes on the basis of contemporary descriptions, the high mortality rates reduced the value of human life.⁹⁴ The "inflation of the value of life" also lowered the threshold to commit homicide. Such changes in attitude should have led to an increase in homicide rates even though the statistics testify otherwise. Homicide figures are generally considered to be among the most accurate justice statistics, so this explanation does not appear to be very plausible.

On the other hand, the mobility of the unemployed and the starving, as well as the high mortality rates reduced the number of social relationships, and the surviving relationships thus became relatively more important. Contrary to the above assumption, the value of life should, in fact, have increased, and the indifferent attitude towards death should not negatively affect the appreciation of life. This kind of sentimentality would also have led to a reduction in violence. The credibility of this theory is strengthened by the fact that the moral legitimization of violence is a major prerequisite for its perpetration. Few people are willing to commit a violent crime without harbouring a sense of internal justification. Placing a high value on life would have made the legitimization of violence harder, which in turn would have decreased the levels of violent crime.⁹⁵

A similar phenomenon is reflected in the strengthening of a sense of responsibility and solidarity in a community. The crisis brought people closer together because everyone was in the same boat – hungry and suffering. The setting reflects Foucault's theory of the influence of prisons on the morals of the working classes, his rationale being that the real purpose of prisons was to brand the criminal lower

⁹³ Taft, 1966, 19.

⁹⁴ Pitkänen, 1991b, 209.

⁹⁵ Eisner, 2014, 93.

classes as abnormal, creating in the working classes a need to stand out from prisoners and criminals to prove their superiority. The best way of standing out was through diligence and honesty at work.⁹⁶ In the same way, the poor peasants of the 1860s wanted to stand out from the loathed exploiters of their poverty. This stronger internal solidarity subdued violent outbursts among the farmers, and because violence is usually prevalent among lower-class men, the subduing effect was significant.⁹⁷

The described change in public sentiment would have had an effect not only on violence but also on the catalysts. From a historical perspective, defamation has been a notable trigger of violence related to the consumption of alcohol.⁹⁸ A simple experiment using convictions for defamation will serve to exemplify this hypothesis. It should be kept in mind that the data does not make it possible to reach a reliable conclusion, but it is nevertheless worth finding out if the statistics comply with the hypothesis. The offence of defamation was called slander (*“parjaus”*) in the 19th century, and indeed the trend seems to be in line with the solidarity hypothesis (Fig. 7): there were 16-per-cent fewer convictions for slander in 1868 than in the preceding and following three years, on average. A comparison of the number of convictions in 1868 with the average number of convictions per year in 1842–1890 reveals a 59-per-cent reduction. It is likely, however, that the statistical changes reflect shifts in the inclination to report an offence rather than actual changes in criminality.

Figure 7. Convictions for slander in 1865–1871 (/1,000 population)



96 Foucault, 1980.

97 On the socio-economic status of violent criminals in present-day Finland, see Lehti, Sirén, Aaltonen, Danielsson & Kivivuori 2013, 80–3. On historical violence, see Ylikangas, 1988, 137.

98 Ylikangas, 1988.

The cohesion argument requires a wider context to effectively explain the increase in property crimes. If solidarity strengthened as suggested, why did people still steal so much from one another? Here is one possible scenario. The proneness to violence and provocation among the poor farming community that resided permanently in the area related to the higher level of solidarity.⁹⁹ Meanwhile, landless vagrants and beggars were prepared to steal to ease their suffering. Consequently, the increase in the number of property crimes was attributable to the drifters, whereas violence was subdued among the local population. It should be pointed out that the theory of social control is effective specifically in explaining property crimes, and is the theory that best explains the effect of vagrancy on crime. It therefore supports the scenario described above.

Opportunity and the Risk of Arrest

What if the criminal statistics do not reflect the development of crime in practice? Statistics covering homicide and serious violent crime are *usually* reliable, but not necessarily in times of crisis: they may not indicate, or even echo the real trends. In other words, the court statistics validly demonstrate the number of convictions but do not cast light on the development of crime outside the courts. In practice, the varying portfolio of crimes reaching the courts depends, for instance, on the risk of arrest and the opportunities that arise for criminal action. It is evident that the government was powerless to contain the hunger crisis, and the failed social-security system was just one example of the chaos brought about by the famine. Death by starvation was common in rural communities, and the mortality rate could be measured in tens in percentage terms.¹⁰⁰ Given the normality of death it would have been easy to mask a homicide as a natural death. The ease of concealment offered numerous opportunities to commit homicide unnoticed, such as by letting an unwanted child starve to death.

The low risk of arrest for homicide may have been tempting for larger families struggling to feed their children. It could have crossed the minds of numerous parents to kill a newly born child if they did not have enough food to feed their other children. No one would have questioned the death of a child when half of the town's population was on the brink of starvation. The statistics on infanticide convictions supports this theory: 25-per-cent fewer convictions were recorded in 1868 compared with the average number during the previous five years. As Verkko points out, however, the proportion of exposed infanticides was low even before the famine, so the significance of the statistics should not be exaggerated.¹⁰¹ The low risk of arrest was not restricted to infanticide and also applied to homicide, although

99 Häkkinen, Ikonen, Pitkänen & Soikkanen, 1989, 49.

100 Pitkänen 1991b, 209.

101 Verkko, 1931.

not to assault. It may be that, as argued below, the risk of being sentenced for assault was lower during the famine for cultural reasons.

On the institutional level, the errors in the justice statistics may simply have been attributable to the scarcity of resources. The annual processing capacity of the courts and other justice authorities was limited, therefore the difference between court-sentenced and actual criminality is bigger than normal during periods of high crime rates. The statistics give solid support to this argument: the proportion of serious crimes of all criminal convictions in rural areas during the first half of the 1860s was approximately 9.5 per cent, compared with 24 per cent in 1968. The relative increase is attributable to an increase in convictions for property crimes whereas the total number of convictions increased only slightly.

The number of criminal convictions in 1868 was approximately the same as in the previous years, but an abnormally high proportion of them were for serious crimes. The changes in criminality on the statistical level would therefore seem to have been an illusion caused by the functioning of the courts: they focused their limited resources on serious crimes and ignored some of the less serious criminality. It should be acknowledged at this point that the risk of exposure to serious violent crime is traditionally thought to be relatively high, and is thus relatively reliably visible in the official statistics. If violence did increase, the courts did not investigate it. This could have been attributable to cultural factors that had a general impact on society, such as changes in penal values.¹⁰²

Changes in Penal Values and Other Cultural Factors

The court system was probably able to function relatively normally during the famine. The judiciary belonged to the rich population groups that were not directly affected by the crisis and did not have to adjust their lifestyle during the winter of hunger.¹⁰³ It may be that the famine complicated the court proceedings in one way or another, but the number of cases they handled remained on the same level as in previous years. It is assumed in the following that the courts were able to function without major disruptions. The question that remains is why the increased violence was not reflected in the courts. The explanation may be connected to the changes in penal values, or conversely the value structure of the society. It concerns a change in society's tolerance of crime, which could have raised the threshold of reporting a crime to the police, or on the institutional level in the way the authorities reacted to different types of criminality. What is important is that the change occurred in the values and outlooks of the people, rather than in the criminality or the criminal legislation.

102 See Christie, 1968. The concept of penal values refers to the experienced seriousness or "value" of different crimes and penalties in the society relative to the dominant value structure. For example, if the value of health increases, the penal values of assault and corporal punishment also increase.

103 Ikonen, 1991, 89; Häkkinen, Ikonen, Pitkänen & Soikkanen, 1989, 31–2; Meurman, 1892, 58.

Let us exemplify such a change in the penal values and consider a small rural community in which the famine has caused high child-mortality rates. The townspeople are being tormented by the cold weather of the late winter, constant hunger and a shortage of essential food. The staple food in almost every household is bark bread, containing equal amounts of grain and pine bark. Two crimes are committed at the same time in the town, one assault and one theft. Which victim is more likely to report the crime to the local police chief, and whose need for legal redress is greater? It is likely that the victim of the theft will report the crime because the value of property (comprising at the time mainly food and the necessary farm equipment to produce it) during a famine is higher than the value of physical integrity. One might also wonder which crime the police chief is more likely to take seriously. When more than two thirds of the community's population have succumbed to hunger and disease, a simple assault does not seem very important.

Economic hardship causes the value of property to increase relative to other objects of legal protection. This was emphasised during the famine because the crisis led to a decrease in the value of life and health. The importance of the object of the crime directly affects the likelihood of its being reported to and investigated by the authorities. The preceding example highlighted the threshold of reporting an offence when the object of the crime was not considered very valuable. The same phenomenon is common today in that people do not report relatively harmless crimes to the police, for example, because they feel the potential legal redress is not worth the effort of going through with the reporting and the subsequent process of litigation. Similarly, the reporting of an ordinary assault may have been viewed as humiliating during the famine. As Ylikangas notes, since the 16th century at least Finns have been characterised as people with low self-esteem and a pronounced sense of honour. Violence was viewed as an acceptable means of conflict resolution in cases of defamation, for example. The typical Finnish man did not report an insult to the Lord of the manor, but rather used his fists to right the wrong.¹⁰⁴ Verkko, on the other hand, refers to the “dark-natured” Finnish man (in the 19th century) who endured the wrongs he faced with silent bitterness that easily erupted later in a disproportionate act of violence – especially when intoxicated.¹⁰⁵ Both of these accounts of the Finnish national character describe people for whom resorting to the authorities is not a natural way of resolving conflicts. In my view, both descriptions support the notion that people would generally have considered the reporting of an assault inappropriate during the famine.

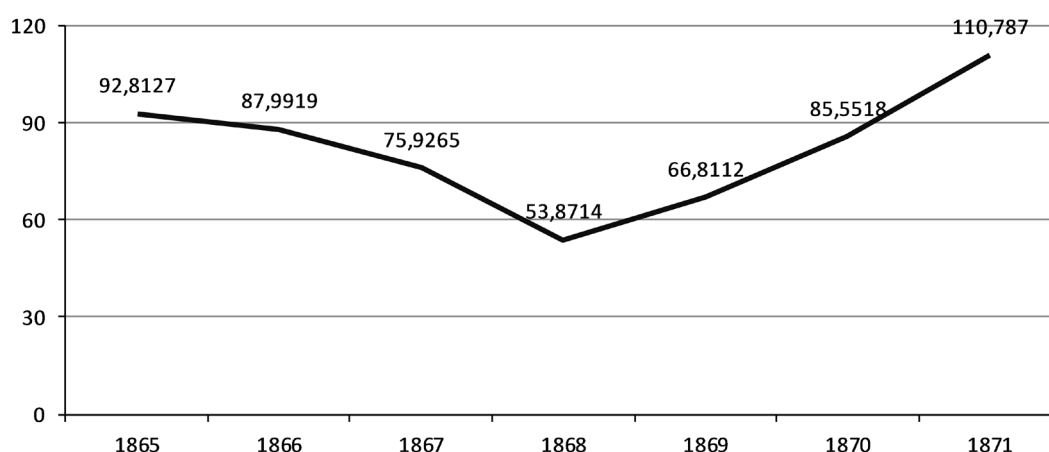
Changes in the penal values also guide the allocation of the limited resources of the criminal justice system. These resources are used, above all, to prevent and punish the most serious crimes. The system constitutes a segmented sieve, the last level of which is the court. Given the scarcity of resources, only the most serious cases pass through the whole sieve and end up in the courts. Changes

104 Ylikangas, 1988, 173–5.

105 Verkko, 1936, 225–6.

in priority among the objects of legal protection could thus cause a change in society's reaction to different types of crime. Property crimes easily passed through the system during the famine because the value of property had increased, which is why the number of convictions for violence decreased and the court statistics became less reliable as an indicator of actual crime levels. Nevertheless, the statistics provide the strongest evidence for the validity of the hypothesis. If the relative seriousness of property crimes increased compared to other crimes during the famine, the average seriousness of property crimes would have decreased in the courts. One could calculate the average seriousness of a theft by dividing the total amount of property lost via crimes by the number of convictions for theft (Fig. 8). The result clearly indicates that the property crimes investigated by the courts were significantly less serious in 1868 than during the preceding and subsequent years. This observation supports the theory of changes in the penal values.

Figure 8. The average value of property lost via theft, old Finnish marks, 1865–1871



Sociologist Norbert Elias' theory of the civilising process also supports the hypothesis positing an increase in violent crime during the famine. By way of a context-bound summary, it is suggested that humankind creates norms that subdue natural behaviour. Together these norms constitute the civilisation on which the society is built, which in turn exerts social control to ensure that its members obey the rules. The stricter the society's control, the more effectively is the natural aggression of individuals contained. If the society is weakened the subdued aggression emerges, causing violence. This weakening process is referred to as decivilisation.¹⁰⁶ The theory has been used as a theoretical framework in criminological studies in which it is observed that homicide and violence are less prevalent in a strong central state with strict social norms.¹⁰⁷ Finnish researcher Ylikangas criticised the use of the theory in explaining criminality, but in my opinion

¹⁰⁶ Elias, 1978; see especially, 191–2, 322.

¹⁰⁷ See e.g. Eisner, 2014; Eisner, 2001.

the later applications, especially as described by Eisner and Pinker, effectively take the criticisms into consideration.¹⁰⁸

The Finnish famine brought about decivilisation as the social norms weakened. Official social control slackened because the resources did not suffice to meet the increased demands. Society could not spend as much time and energy in monitoring and controlling people as before the famine. As the binding effect of the social norms weakened, individual aggression and violence increased. Elias also emphasises the effect of trade-related reliance on other people in subduing violence:¹⁰⁹ the absolute poverty during the famine brought the majority of trade to a halt, thus causing a surge in violence. The downward mobility mentioned by Ylikangas accelerated among the upper classes during the famine as people became poorer, and at the same time the violent lower classes grew in numbers.

According to Pinker, the civilising process did not reduce violence but only transferred it from the upper to the lower classes.¹¹⁰ Pinker's interpretation refutes Ylikangas's criticism of the argument that there was no reduction in violence among the lower classes despite the process.¹¹¹ At this point it does not matter whether the civilising process reduced violence or transferred it to the lower classes because both possibilities predict a similar crime trend during the famine. The upper classes were not directly affected and thus did not go through the process of decivilisation that would have brought back violence among their ranks. Meanwhile, the poor grew quickly in numbers due to unemployment and food shortages, which together with the weakening social norms probably provoked an increase in violence. Hence, both alternative interpretations of the civilising process support the idea of an increasing trend in violent crime.

Lappi-Seppälä and Lehti studied the effects of cultural factors on homicide. In the context of the Finnish famine the most significant of these factors were social trust and what Hofstede refers to as long-term orientation. Long-term (as opposed to short-term) orientation here means that the members of a community place more emphasis on the future than on the present, and both long-term orientation and social trust reduce homicide rates.¹¹² The famine produced the feeling among the people that death was the only escape from their suffering. This kind of outlook reflects a short-term rather than a long-term orientation, and predicts increased homicide rates. Social trust is a more complicated phenomenon: on the one hand the *internal* solidarity among communities probably strengthens social trust, but on the other the large numbers of vagrants and beggars with their criminal activity probably weaken trust, pointing towards increased homicide rates.

108 Ylikangas, 1999, 21–9.

109 Elias, 1978, 322.

110 Pinker, 2012, 85. On the other hand, see Eisner, 2008, 290.

111 Ylikangas 1999, 27.

112 Lappi-Seppälä & Lehti, 2014, 185–7.

Conclusion

The composition of crimes investigated by the courts changed notably during the 19th century. The number of convictions for core crimes decreased up until the Finnish famine of 1866–1868, after which the downward trend ended and the number stabilised on a level slightly higher than before the famine. The criminal control of public morality was slowly eroded during the century, and prosecutions for fornication, breach of the Sabbath and swearing, for example, gradually disappeared from the courts. Finland's emergent urbanisation produced new kinds of petty crime, the amount of which increased significantly during the century. The majority of such crimes were "breaches of economic or police regulations". The urbanisation trend facilitated the effective monitoring of the population, which accounts for the relatively high crime levels in the cities compared to the rural communities. Urbanisation did not develop very quickly, however, and the majority of people were still living in the countryside at the end of the century.

The Finnish famine of 1866–1868 brought about an abnormal crime trend that is clearly visible in the court statistics. The number of property crimes drastically increased whereas there was a decrease in convictions for homicide and assault. I have compared two competing theoretical streams explaining how the real crime levels changed and why. Traditional criminological theories incorporating historical and modern explanations predict that famine leads to an increase in all kinds of crime. However, the court statistics only show the increase in property crimes. A few explanations focusing mainly on individual factors support the statistical data. Although theories supporting the idea of increased violence outnumber these explanations, individual factors may have helped to contain violent crime to some extent.

A more plausible alternative, however, is that the violence increased but the perpetrators did not end up in the courts. Criminological theories along with the theory of the civilising process and the cultural explanations drafted in this article support such a notion. Nevertheless, the question arises as to why the increased violence is not visible in the court statistics. The most likely reasoning concerns the changes in society's functioning and in the general culture. The interpretations presented in the article do not give definitive explanations of how real crime levels changed during the famine, but they do shed light on the grey area that tends to surround historical criminality. It would be interesting to compare the criminality of the famine in Finland to the crime trends in other European countries, and the topic would definitely call for further comparative research. In conclusion, the Finnish famine probably led to an increase in both property and violent crimes, but the criminal justice system did not react to the surge in violence.

References

- Rangaistus caari V:1–2. Note that the laws in the 1734 codification were named “caari”, literally translated as an arch. Rangaistus caari would translate into “penalty arch”.
- Pahategoin caari (“crime arch”) XL:1.
- Archer, D. & R. Gartner. 1984. *Violence and Crime in Cross-National Perspective*. Yale: Yale University Press.
- Archer, D. & R. Gartner. 1976. Violent Acts and Violent Times: A Comparative Approach to Postwar Homicide Rates. *American Sociological Review* 41, 937–63.
- Bailey, W.C. 1984. Poverty, Inequality and City Homicide Rates: So Not So Unexpected Findings. *Criminology* 22, 531–50.
- Baranovski, S. 1850. *Brottmåls-Statistik i Finland*. Helsinki: H. Molander.
- Blomstedt, Y. 1960. Rikoslakireformin ensimmäiset vaiheet vuoden 1866 osittaisuudistuksiin saakka. *Historiallinen Arkisto* 59, 422–516.
- Christiansen, K.O. 1987. Kriminalitet i Danmark fra 1937 til 1948. 1987. In H. Takala & H. Tham (eds.) *Krig og moral. Kriminalitet og kontroll i Norden under andre verdenskrig*. Oslo: Norwegian University Press. 21–40.
- Christie, N. 1968. Changes in Penal Values. *Scandinavian Studies in Criminology* 2. Oslo: Norwegian University Press. 161–72.
- Crutchfield, R.D., M.R. Geerken & W.R. Gove. 1982. Crime Rate and Social Integration: The Impact of Metropolitan Mobility. *Criminology* 20, 467–78.
- Eisner, M. 2008. Modernity Strikes Back? A Historical Perspective on the Latest Increase in Interpersonal Violence (1960–1990). *International Journal of Conflict and Violence* 2:2, 288–316.
- Eisner, M. 2001. Modernization, Self-Control and Lethal Violence. The Long-term Dynamics of European Homicide Rates in Theoretical Perspective. *British Journal of Criminology* 41, 618–638.
- Eisner, M. 2014. From Swords to Words: Does Macro-Level Change in Self-Control Predict Long-Term Variation in Levels of Homicide. *Crime and Justice* 43, 65–134.
- Elias, N. 1978. *The Civilizing Process: The history of manners*. New York: Urizen Books.
- Foucault, M. 1980. On Popular Justice: A Discussion with Maoists. In C. Gordon (ed.) *Power / Knowledge: Selected Interviews and Other Writings, 1972-1977*. New York: Pantheon.
- Hannula, I. 2004. *Rikosoikeudellinen järjestelmä kriisissä. Tutkimus kansalaissodan ja 1930-luvun alun kriisin vaikutuksesta vankilukuun, rikoslainsäädäntöön ja oikeudenkäyttöön*. Vammala: Suomalainen Lakimiesyhdistys.
- Hartnagel, T.F. 1997. Crime Among the Provinces: The Effect of Geographical Mobility. *Canadian Journal of Criminology* 39:4, 387–402.
- Hsieh, C.C. & M.D. Pugh. 1993. Poverty, Income Inequality, and Violent Crime: a Meta-Analysis of Recent Aggregate Data Studies. *Criminal Justice Review* 18, 182–202
- Häkkinen, Antti, V. Ikonen, K. Pitkänen & H. Soikkanen. 1989. *1860-luvun suuret nälkävuodet. Tutkimus eri väestöryhmien mielialoista ja toimintamalleista. Loppuraportti*. Helsinki: Helsingin yliopiston talous- ja sosiaalihistorian tiedonantoja N:o 21, Helsinki 1989.
- Häkkinen A. 1991a. Nälkävuosien väärinkäytösepäilyt. In A. Häkkinen, V. Ikonen, K. Pitkänen & H. Soikkanen (eds.) *Kun halla nälän tuskan toi. Miten Suomalaiset kokivat 1860-luvun nälkävuodet*. Porvoo, Helsinki, Juva: WSOY. 195–206.

- Häkkinen A. 1991b. Nälkävuodet, usko ja taikausko. In A. Häkkinen, V. Ikonen, K. Pitkänen & H. Soikkanen (eds.) *Kun halla nälän tuskan toi. Miten Suomalaiset kokivat 1860-luvun nälkävuodet*. Porvoo, Helsinki, Juva: WSOY. 237–49.
- Ikonen, V. 1991. Kyse oli ennen kaikkea leivästä 'On syöty kaikkea, joka vain on ollut kiveä pehmeämpää' - Ravintokysymys 1860-luvulla. In A. Häkkinen, V. Ikonen, K. Pitkänen & H. Soikkanen (eds.) *Kun halla nälän tuskan toi. Miten Suomalaiset kokivat 1860-luvun nälkävuodet*. Porvoo, Helsinki, Juva: WSOY. 81–90.
- Jaakkola, R. 1978. Rukiin hinnasta ja varkausrikollisuudesta. *Oikeus* 1978:2, 99–103.
- Jaakkola, Risto: Brottsligheten i Finland 1935–1949. In H. Takala & H. Tham (eds.) *Krig og moral. Kriminalitet og kontroll i Norden under andre verdenskrig*. Oslo: Norwegian University Press. 41–66.
- Kekkonen, J. 1987. *Merkantilismista liberalismiin. Oikeushistoriallinen tutkimus elinkeino-vapauden syntytaustasta Suomessa vuosina 1855-1879*. Vammala: Suomalainen Lakimiesyhdistys.
- Kekkonen, J. 1992. Autonomian ajan rikosoikeus. In P. Letto-Vanamo (ed.) *Suomen oikeushistorian pääpiirteet: Sukuvallasta moderniin oikeuteen*. Helsinki: Gaudeamus. 258–269.
- Kekkonen, J & H. Ylikangas. 1986. *Vapausrangaistuksen valtakausi. Nykyisen seuraamusjärjestelmän historiallinen tausta*. Helsinki: Gaudeamus.
- Kivivuori, J. 2013. *Rikollisuuden syyt*. Helsinki: Nemo.
- Krahn, H., T.F. Hartnagel & J.W. Gartnell. 1986. Income Inequality and Homicide Rates: Cross-National Data and Criminological Theories. *Criminology* 24:2, 269–295.
- Landau, S.F. & D. Pfeffermann. 1988. A Time Series Analysis of Violent Crime and its Relation to Prolonged States of Warfare: The Israeli Case. *Criminology* 26:3, 489–504.
- Lappi-Seppälä, T. 1982. *Teilipyörästä terapiaan: piirteitä rangaistusjärjestelmän historiasta*. Helsinki: Oikeusministeriö.
- Lappi-Seppälä, T. 2013. Historiantutkimus ja kriminaalipolitiikan analyysi – tapausesimerkkejä ja historian opetuksia. *Lakimies* 4:2013, 698–719.
- Lappi-Seppälä, T. & M. Lehti. 2014. Cross-Comparative Perspectives on Global Homicide Trends. *Crime and Justice* 43, 135–230.
- Lehti, M. 2001. Väkivallan hyökyaalto: 1900-luvun alkuvuosikymmenten henkirikollisuus Suomessa ja Luoteis-Virossa. Helsinki: Oikeuspoliittinen tutkimuslaitos.
- Lehti M. & J. Kivivuori. 2013. Henkirikokset. In *Rikollisuustilanne 2012. Rikollisuus ja seuraamusjärjestelmä tilastojen valossa*. Helsinki: Oikeuspoliittinen tutkimuslaitos. 15–52.
- Lehti, M., R. Sirén, M. Aaltonen, P. Danielsson & J. Kivivuori. 2013. Pahoinpitely- ja ryöstörikokset. In *Rikollisuustilanne 2012. Rikollisuus ja seuraamusjärjestelmä tilastojen valossa*. Helsinki: Oikeuspoliittinen tutkimuslaitos. 53–96.
- Madsen, P. 1987. Kriminaliteten i Norge under den tyske okkupasjon 1940–45. In H. Takala & H. Tham (eds.) *Krig og moral. Kriminalitet og kontroll i Norden under andre verdenskrig*. Oslo: Norwegian University Press. 111–126.
- Mc Mahon, R. 2014. *Homicide in pre-Famine and Famine Ireland*. Liverpool. Liverpool University Press.
- Merton, R. K. 1938. Social Structure and Anomie. *American Sociological Review* 3: 672–82.
- Messner, S.F. 1982. Poverty, Inequality and the Urban Homicide Rate: Some Unexpected Findings. *Criminology* 20, 103–114.
- Meurman, A. 1892. *Nälkävuodet 1860-luvulla*. Helsinki: Kansanvalistus-Seura.

- Patterson, E. B. 1991. Poverty, Income Equality, and Community Crime Rates. *Criminology* 29:4, 755–776.
- Pinker, S. 2011. *The Better Angels of Our Nature: Why Violence Has Declined*. New York: Viking.
- Pitkänen, K. 1991a. Kärsimysten ja ahdingon vuosikymmen – 1860-luvun yleiskuva. In A. Häkkinen, V. Ikonen, K. Pitkänen & H. Soikkanen (eds.) *Kun halla nälän tuskan toi. Miten Suomalaiset kokivat 1860-luvun nälkävuodet*. Porvoo, Helsinki, Juva: WSOY. 36–77.
- Pitkänen, K. 1991b. Miten kansa kärsi? In A. Häkkinen, V. Ikonen, K. Pitkänen & H. Soikkanen (eds.) *Kun halla nälän tuskan toi. Miten Suomalaiset kokivat 1860-luvun nälkävuodet*. Porvoo, Helsinki, Juva: WSOY. 207–223.
- Pridemore, W.A. 2011. Poverty Matters: A Reassessment of the Inequality–Homicide Relationship in Cross-National Studies. *British Journal of Criminology* 51:5, 739–72.
- Roos, N. & H. Takala. 1987. Kvinnors brottslighet under andra världskriget i Finland. In H. Takala & H. Tham (eds.) *Krig og moral. Kriminalitet og kontroll i Norden under andre verdenskrig*. Oslo: Norwegian University Press. 79–96.
- Sen, A. 1981. *Poverty and Famines: An Essay on Entitlement and Deprivation*. Oxford: Oxford University Press.
- Shelley, L. 1979. Soviet Criminology after the Revolution. *Journal of Criminal Law and Criminology* 70, 391–396.
- Ståhlberg, K. J. 1893. *Irtolaisuus Suomen lain mukaan*. Helsinki: Päivälehdin Kirjapaino.
- Taft, D. 1966. Influence of the General Culture on Crime. *Federal Probation* 30, 16–23
- Takala, H. 1987. Kriget i kriminologin. In H. Takala & H. Tham (eds.) *Krig og moral. Kriminalitet og kontroll i Norden under andre verdenskrig*. Oslo: Norwegian University Press. 7–20.
- Takala, H. & H. Tham. 1987. *Krig og moral. Kriminalitet og kontroll i Norden under andre verdenskrig*. Oslo: Norwegian University Press.
- Tham, H. 1987a. Stöldutvecklingen under kriget som moralindikator. In H. Takala & H. Tham (eds.) *Krig og moral. Kriminalitet og kontroll i Norden under andre verdenskrig*. Oslo: Norwegian University Press. 301–308.
- Tham, H. 1987b. Stöld i Sverige under andra världskriget. In H. Takala & H. Tham (eds.) *Krig og moral. Kriminalitet og kontroll i Norden under andre verdenskrig*. Oslo: Norwegian University Press. 211–238.
- Toikko, T. 2005. *Sosiaalityön ideat – johdatus sosiaalityön historiaan*. Tampere: Vastapaino.
- Tuominen, U. 1979. *Suomen alkoholipolitiikka 1866–1886*. Helsinki: Suomen Historiallinen Seura.
- Turpeinen, O. 1986. *Nälkä vai tauti tappoi? Kauhunvuodet 1866–1868*. Helsinki: Suomen Historiallinen Seura.
- van Aerschot, P. 1996. *Köyhät ja laki*. Helsinki: Suomalainen Lakimiesyhdistys.
- Verkko, V. 1931. *Henki- ja pahoinpitelyrikollisuuden kehityssuunnan ja tason määrittämisestä II*. Helsinki: Valtioneuvoston kirjapaino.
- Verkko, V. 1936. *Väkivaltarikollisuuden riippuvaisuus kansanluonteesta ja muista etnillisistä tekijöistä*. Helsinki: Valtioneuvoston kirjapaino.
- Verkko, V. 1949. *Lähimmäisen ja oma henki*. Jyväskylä: Gummerus.
- von Hofer, H. 2011a. Punishment and Crime in Scandinavia 1750–2008. *Crime and Justice: A Review of Research* 40, 33–107.
- von Hofer, H. 2011b. *Brott och Straff i Sverige: Historisk kriminalstatistik 1750–2010. Diagram, tabeller och kommentarer*. 4th ed. Stockholm: Stockholms universitet.

- von Hofer, H. & T. Lappi-Seppälä. 2014. The Development of Crime in Light of Finnish and Swedish Criminal Justice Statistics, circa 1750–2010. *European Journal of Criminology* 11:2, 169–194.
- Vuorela, M. 2014. *Prokuraattorin kertomukset kriminologian lähteenä*. Helsinki: Oikeuspoliittisen tutkimuslaitos.
- Vuorela, M. 2015. Rikollisuus ja Suomen suuret nälkävuodet 1866–1868. *Lakimies* 2015:5, 658–88.
- Wijk, J. 1987. Svarta börsen i Sverige under andra världskriget. In H. Takala & H. Tham (eds.) *Krig og moral. Kriminalitet og kontroll i Norden under andre verdenskrig*. Oslo: Norwegian University Press. 261–280.
- Ylikangas, H. 1976. *Puukojunkkareitten esiinmarssi: väkivaltarikollisuus Etelä-Pohjanmaalla 1790-1825*. Helsinki: Otava.
- Ylikangas, H. 1999. *Väkivallasta sanan valtaan. Suomalaista menneisyyttä keskiajalta nykypäiviin*. Porvoo: WSOY.
- Ylikangas, H. 1988. *Valta ja väkivalta keski- ja uudenajan taitteen Suomessa*. Porvoo: WSOY.